

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Carter Garfield	Team: Squad #10	CCRB Case #: 201906220	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 07/16/2019 3:50 PM	Location of Incident: § 87(2)(b) [REDACTED]	Precinct: 94	18 Mo. SOL 1/16/2021	EO SOL 9/2/2021	
Date/Time CV Reported Tue, 07/16/2019 4:01 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 07/16/2019 4:01 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POF Shantell Mckinnies	06756	937070	094 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Christophe Levine	20306	958811	094 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POF Shantell Mckinnies	Abuse: Police Officer Shantell Mckinnies took photographs of § 87(2)(b) [REDACTED]	[REDACTED]
B.POF Shantell Mckinnies	Abuse: Police Officer Shantell Mckinnies threatened to seize § 87(2)(b) [REDACTED] s property.	[REDACTED]

Case Summary

On July 16, 2019, § 87(2)(b) filed this complaint with the CCRB by phone.

On July 16, 2019, at approximately 3:50 p.m., on § 87(2)(b)

§ 87(2)(b) in Brooklyn, § 87(2)(b) was maneuvering her motorcycle into a parking spot when she saw Police Officer Shantell McKinnies and Police Officer Christopher Levine, both of the 94th Precinct, drive up in a marked police car. PO Levine asked § 87(2)(b) if she needed any assistance, to which § 87(2)(b) refused. PO McKinnies allegedly took pictures of her with her cell phone (**Allegation A: Abuse of Authority – Photography/Videography**, § 87(2)(g)). When § 87(2)(b) asked PO McKinnies why she was taking photos of her, PO McKinnies allegedly replied, “Because I can. You better hope your bike doesn’t go missing” (**Allegation B: - Abuse of Authority– Threat to damage/seize property**, § 87(2)(g)). PO McKinnies held the phone up for at least one minute before driving away. There was no video evidence of the incident, no arrests were made, and no summons was issued.

Findings and Allegations

Allegation A: Abuse of Authority – Police Officer Shantell McKinnies took photographs of

§ 87(2)(b)

Allegation B: Abuse of Authority – Police Officer Shantell McKinnies threatened to seize

§ 87(2)(b)

s property.

§ 87(2)(b) consistently stated (**BR 01, 02, 03**) that she was standing next to her motorcycle and attempting to move it so that it would be parked closer to the curb when PO McKinnies and PO Levine drove into a parking lot nearby in a police vehicle she identified with the number #3988. § 87(2)(b) wanted to position the motorcycle closer to her car which was parked to the right of her in the angled parking on § 87(2)(b). § 87(2)(b) saw PO McKinnies and PO Levine observing her struggling to park her motorcycle from their vehicle for two to three minutes before they spoke to her. PO Levine then asked her if she was okay with the bike, which § 87(2)(b) interpreted as accusatory, and so she told him to stop “harassing” her and to mind his “f-ing” business.

PO McKinnies then turned the vehicle around in the parking lot, and § 87(2)(b) saw PO McKinnies holding her phone out over PO Levine’s seat, apparently taking a photo/video of her. When § 87(2)(b) asked PO McKinnies why she was taking photos of her, PO McKinnies replied, “Because I can. You better hope your bike doesn’t go missing.” After holding her phone up for about a minute, PO McKinnies drove away with PO Levine.

PO Levine (**BR 04**) stated that he worked in the area of the incident that day, but neither he nor PO McKinnies (**BR 05**) had any recollection of the incident. Neither recalled interacting with § 87(2)(b) and when showed a picture of § 87(2)(b) neither were able to recognize her. PO McKinnies’ memo book (**BR 06**) notes that she was working with PO Levine on July 16, 2019 and was assigned to vehicle number #3988. PO Levine’s memo book (**BR 07**) at 15:40 stated “Cooper post,” which he explained in his statement was an overtime assignment to observe the happenings of the Cooper NYCHA complex.

§ 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) has been party to two CCRB complaints and has been named as a victim in one allegation:
 - § 87(2)(b).
- PO McKinnies has been a member of the NYPD for fourteen years and has been the subject of five CCRB complaints and nine allegations, of which none were substantiated.
§ 87(2)(g)

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- On January 28, 2020, a FOIL request for any notice of claim was submitted, to be added to case file upon reception (**BR 09**).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: 10

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date